

REMARKS

The present application has been reviewed in light of the Office Action dated January 9, 2009. Claims 1-17 are presented for examination, of which Claims 1, 9, and 17 are in independent form. Claim 17 has been added to provide Applicants with a more complete scope of protection. Claims 1-15 have been amended to define aspects of Applicants' invention more clearly. Favorable reconsideration is requested.

Claims 1-8 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants have carefully reviewed and amended Claims 1-8, as deemed necessary, with special attention to the points raised in section 3 of the Office Action. It is believed that the indefiniteness rejections have been obviated, and their withdrawal is therefore respectfully requested.

Claims 1-16 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicants have carefully reviewed and amended Claims 1-15 as deemed necessary to ensure that they are directed to patent-eligible subject matter, with special attention to the points raised in section 4 of the Office Action. In particular, it is respectfully submitted that each of Claims 1-16 is tied to a machine and thus passes the so-called "machine-or-transformation" test set forth in *In re Bilski* (545 F.3d 943 (Fed. Cir. 1008)). Accordingly, it is believed that these rejections have been obviated, and their withdrawal is therefore respectfully requested.

Applicants note that the Office Action does not present any claim rejections based on prior art. Therefore, for at least the reason that all the rejections presented in the Office Action are believed to have been overcome by the foregoing amendments, the present application is believed to be in condition for allowance. Accordingly, Applicants respectfully

request favorable reconsideration and an early issuance of a Notice of Allowance for the present application.

No petition to extend the time for response to the Office Action is deemed necessary for this Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 50-3939.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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